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EXAMINER
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CARTER, CANDICE D

ART UNIT	PAPER NUMBER
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3629

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12/17/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/820,425	<b>Applicant(s)</b> PINSONNAULT ET AL.	
	<b>Examiner</b> CANDICE D. CARTER	<b>Art Unit</b> 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. The Following is a Second, Non-Final Office Action in response to communications received on September 15, 2008. Claims 1, 3, 8, 10, 14-16, 20, 23, 25, 32, 33-38, 42, 47, 50, 52, 53, 57, 58, and 61 have been amended. No claims have been cancelled. No new claims have been added. Therefore, claims 1-61 are pending and have been addressed below.

#### ***Response to Amendment***

2. Applicant has amended claims 3, 8, 25, 50, 53, and 54 to overcome the 35 U.S.C. 112, second paragraph rejection. Examiner withdraws the 35 U.S.C. 112, second paragraph with respect to these claims. Applicant has amended claims 52-61 to overcome the 35 U.S.C. 101 rejections. Examiner withdraws the 35 U.S.C. 101 rejection with respect to these claims.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**3. Claims 1-3, 6, 17, 22-25, 28, 39, 44, 52, 56, 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevoid et al. (5,410,646) in view of Lombardo et al. (6,341,290) and further in view of Business Wire (1999).**

As per claim 1, Tondevold et al. discloses “A method for exchanging information within a partnership using a system including a server coupled to a centralized database of business data relating to the partnership and at least one client system, the server including a plurality of analytical tools, said method comprising”:

“providing forms stored for the insertion of updated partnership business data and causing the forms to be displayed on a client system” (col. 2, line 21-22 discloses creating and processing forms, where the forms are to be used for partnership data, and where a partnership includes a partnership within the organization);

“uploading forms that include updated partnership business data intended for use by other authorized users to the server, wherein the updated partnership business data is stored within the database” (col. 2, line 21-22 discloses storing forms, where storing the forms includes uploading the forms into a database as disclosed in Figure 1);

“downloading the information to authorized users requesting the updated partnership business data” (col. 2, line 63-66 discloses transmitting forms to a recipient, where the recipient must download the forms);

“accessing the plurality of analytical tools including an authorization for expenditure tool, the authorization for expenditure tool enables an authorized user to submit a request for a proposed expenditure within the partnership” (col. 4, line 35-39 discloses purchase order forms, where purchase order forms are used as expenditure requests);

“and tracking the proposed expenditure request using the authorization for expenditure tool through an approval process within the partnership” (col. 8, line 12-58 discloses tracking the forms).

Tondevold et al., however, fails to explicitly disclose that the system is "web-based" and “formatting the partnership business data uploaded using web pages stored within the server”.

Lombardo et al. discloses a method and system for automating the communication of business information having a web-based system for exchanging information (col. 4, line 9-20 discloses automating business information using a web based system) and formatting the business data uploaded using web pages stored within the server (col. 5, line 64-col. 6, line 40 discloses integrating captured information into a standardized format).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of Tondevold et al. to be a web-based system as taught by Lombardo in order to have information easily accessible to all parties that are involved and to format the business data uploaded as taught by Lombardo in order to provide a structure to tie together business information.

The Tondevold et al. and Lombardo combination discloses all of the elements of the claimed invention but fails to explicitly disclose “a glance hedge partnership tool that enables a user to determine a hedge position for the partnership from the partnership business data stored within the database”.

Business Wire discloses financial partnership software having a glance hedge partnership tool that enables a user to determine a hedge position for the partnership from the partnership business data stored within the database (§ 3 discloses software used by active hedge fund managers to track and calculate their positions in numerous instrument types and provides registered investment advisors with a complete set of tools for enterprise-wide portfolio management, accounting, research, and operational support).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms of the Tondevoid and Lombardo combination to include the glance hedge partnership tool as taught by Business Wire in order to facilitate asset management.

As per claim 2, Tondevoid et al. further discloses “step of accessing the plurality of analytical tools further comprises the step of accessing the authorization for expenditure (AFE) tool to facilitate at least one of a creation of a request packet by a general partner including a presentation of information to assist a limited partner in making a decision with respect to the proposed expenditure request, an inclusion of text and graphic image files relevant to the proposed expenditure request, a general partner approval process, a submission of the proposed expenditure request to a limited partner, a limited partner review of technical and economic data, an engineering consultant review of technical and economic data, a generation of appropriate internal approval forms, a limited partner approval process, and tracking of technical and

Art Unit: 3629

economic performance metrics” (col. 4, line 35-39 discloses purchase order forms, where purchase order forms are expenditure requests).

As per claim 3, Tondevold et al. further discloses “step of tracking the proposed expenditure request further comprises the step of using a status map to display on a graphical user interface the proposed expenditure request's current step in an approval process including timestamps indicating an amount of time spent at each step, creating an owner of the request and teams, and an ability to track performance of the request” (col. 9, line 2-17 discloses tracking the position of the form and the time spent at each step, Fig. 1, discloses a display that is graphical).

As per claim 6, Tondevold et al. further discloses “step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools including a file transfer tool to perform at least one of download user files from the server to the client system, and upload partnership reports from the client system to the server” (col. 2, line 50-55 discloses a tool that transmits files).

As per claim 17, Tondevold et al. discloses “step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools including at least one of an asset play tool, assumptions, a flip payout, a setup tool, a mail tool, a partner setup tool, a user entered data tool, a user information tool, and a user maintenance tool” (col. 2, line 2 discloses electronic mail systems).

As per claim 22, Tondevold et al. discloses establishing a communication link between the client system and the server, wherein the communication link includes at

Art Unit: 3629

least one of a wide area network, a local area network, an intranet, and the internet.

(Fig. 2 discloses a local area network).

Claim 44, recites equivalent limitations to claim 22 and is, therefore, rejected using the same art and rationale as set forth above.

As per claim 23, Tondevold et al. discloses "A system for exchanging information within a partnership, said system comprising":

"at least one client system comprising a browser" (Fig. 2 discloses a network comprising client systems connected to a host computer, where computers have browsers);

"a database for storing business data relating to the partnership" (Fig. 1 discloses a database that stores information relating to the business partnership);

"and a server comprising a plurality of analytical tools, said server configured to be coupled to said client system and said database, said server further configured to" (col. 7, line 65 - col. 8, line 7 discloses a host computer that manages communications of the network including the client computer and the database):

"provide forms stored within said server as input for the insertion of updated partnership business data" (col. 2, line 21-22 discloses creating and processing forms, where the forms are to be used for partnership data, and where a partnership includes a partnership within the organization),

"display the input information on said client system" (col. 2, line 31-34 discloses displaying the blank form in order to enter data into the form, where once the data is input in the form the data will be displayed as well),



“upload forms including updated partnership business data intended for use by other authorized users to said server wherein the updated partnership business data is stored within said database” (col. 2, line 21-22 discloses storing forms, where storing the forms includes uploading the forms into a database as disclosed in Figure 1),

“download the information to authorized users requesting the updated partnership business data” (col. 2, line 63-66 discloses transmitting forms to a recipient, where the recipient must download the forms),

“display the output information on said client system the information” (claim 1 discloses a second device for displaying images of forms, where the second device is the device of the recipient of the form),

“access the plurality of analytical tools including an authorization for expenditure tool to enable an authorized user to submit a request for a proposed expenditure within the partnership, and track the proposed expenditure request using the authorization for expenditure tool through an approval process within the partnership” (col. 4, line 35-39 discloses purchase order forms, where purchase order forms are used as expenditure requests and col. 8, line 12-58 discloses tracking the forms).

Tondevoid et al., however, fails to explicitly disclose that the system is “web-based” and “formatting the partnership business data uploaded using web pages stored within the server”.

Lombardo et al. discloses a method and system for automating the communication of business information having a web-based system for exchanging information (col. 4, line 9-20 discloses automating business information using a web

Art Unit: 3629

based system) and formatting the business data uploaded using web pages stored within the server (col. 5, line 64-col. 6, line 40 discloses integrating captured information into a standardized format).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of Tondevoid et al. to be a web-based system as taught by Lombardo in order to have information easily accessible to all parties that are involved and to format the business data uploaded as taught by Lombardo in order to provide a structure to tie together business information.

The Tondevoid et al. and Lombardo combination discloses all of the elements of the claimed invention but fails to explicitly disclose “a glance hedge partnership tool that enables a user to determine a hedge position for the partnership from the partnership business data stored within the database”.

Business Wire discloses financial partnership software having a glance hedge partnership tool that enables a user to determine a hedge position for the partnership from the partnership business data stored within the database (§ 3 discloses software used by active hedge fund managers to track and calculate their positions in numerous instrument types and provides registered investment advisors with a complete set of tools for enterprise-wide portfolio management, accounting, research, and operational support).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating,

processing, and storing forms of the Tondevold and Lombardo combination to include the glance hedge partnership tool as taught by Business Wire in order to facilitate asset management.

As per claim 24, Tondevold et al. further discloses “step of accessing the plurality of analytical tools further comprises the step of accessing the authorization for expenditure (AFE) tool to facilitate at least one of a creation of a request packet by a general partner including a presentation of information to assist a limited partner in making a decision with respect to the proposed expenditure request, an inclusion of text and graphic image files relevant to the proposed expenditure request, a general partner approval process, a submission of the proposed expenditure request to a limited partner, a limited partner review of technical and economic data, an engineering consultant review of technical and economic data, a generation of appropriate internal approval forms, a limited partner approval process, and tracking of technical and economic performance metrics” (col. 4, line 35-39 discloses purchase order forms, where purchase order forms are used as expenditure requests).

As per claim 25, Tondevold et al. further discloses “step of tracking the proposed expenditure request further comprises the step of using a status map to display on a graphical user interface the proposed expenditure request's current step in an approval process including timestamps indicating an amount of time spent at each step, creating an owner of the request and teams, and an ability to track performance of the request” (col. 9, line 2-17 discloses tracking the position of the form and the time spent at each step, Fig. 1, discloses a display that is graphical).

As per claim 28, Tondevold et al. further discloses “step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools including a file transfer tool to perform at least one of download user files from the server to the client system, and upload partnership reports from the client system to the server” (col. 2, line 50-55 discloses a tool that transmits files).

As per claim 39, Tondevold et al. discloses "step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools including at least one of an asset play tool, assumptions, a flip payout, a setup tool, a mail tool, a partner setup tool, a user entered data tool, a user information tool, and a user maintenance tool” (col. 2, line 2 discloses electronic mail systems)

As per claim 52, Tondevold et al. discloses “A computer program embodied on a computer readable medium for exchanging information within a partnership, said program comprising at least one code segment that receives business data relating to the partnership and then:

maintains a database by adding, deleting and updating business data” (col. 7, line 2 – col. 8, line 6 discloses maintaining a database by extracting data, updating data, and where this database may also add and delete data as well);

“provides forms as for the insertion of updated partnership business data and causing the forms to be displayed on a client system” (col. 2, line 21-22 discloses creating and processing forms, where the forms are to be used for partnership data, and where a partnership includes a partnership within the organization);

“downloads the information to authorized users requesting the updated partnership business data” (col. 2, line 63-66 discloses transmitting forms to a recipient, where the recipient must download the forms);

“accesses the plurality of analytical tools including an authorization for expenditure tool to enable an authorized user to submit a request for a proposed expenditure within the partnership” (col. 4, line 35-39 discloses purchase order forms, where purchase order forms are used as expenditure requests and col. 8, line 12-58 discloses tracking the forms);

“and tracks the proposed expenditure request using the authorization for expenditure tool through an approval process within the partnership” (col. 8, line 12-58 discloses tracking the forms).

Tondevoid et al., however, fails to explicitly disclose that the system is "web-based" and “formatting the partnership business data uploaded using web pages stored within the server”.

Lombardo et al. discloses a method and system for automating the communication of business information having a web-based system for exchanging information (col. 4, line 9-20 discloses automating business information using a web based system) and formatting the business data uploaded using web pages stored within the server (col. 5, line 64-col. 6, line 40 discloses integrating captured information into a standardized format).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating,

Art Unit: 3629

processing, and storing forms electronically of Tondevold et al. to be a web-based system as taught by Lombardo in order to have information easily accessible to all parties that are involved and to format the business data uploaded as taught by Lombardo in order to provide a structure to tie together business information.

The Tondevold et al. and Lombardo combination discloses all of the elements of the claimed invention but fails to explicitly disclose “a glance hedge partnership tool that enables a user to determine a hedge position for the partnership from the partnership business data stored within the database”.

Business Wire discloses financial partnership software having a glance hedge partnership tool that enables a user to determine a hedge position for the partnership from the partnership business data stored within the database (§ 3 discloses software used by active hedge fund managers to track and calculate their positions in numerous instrument types and provides registered investment advisors with a complete set of tools for enterprise-wide portfolio management, accounting, research, and operational support).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms of the Tondevold and Lombardo combination to include the glance hedge partnership tool as taught by Business Wire in order to facilitate asset management.

As per claim 54, Tondevold et al. further discloses “step of tracking the proposed expenditure request further comprises the step of using a status map to

Art Unit: 3629

display on a graphical user interface the proposed expenditure request's current step in an approval process including timestamps indicating an amount of time spent at each step, creating an owner of the request and teams, and an ability to track performance of the request" (col. 9, line 2-17 discloses tracking the position of the form and the time spent at each step, Fig. 1, discloses a display that is graphical).

As per claim 56, Tondevoid et al. further discloses "step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools including a file transfer tool to perform at least one of download user files from the server to the client system, and upload partnership reports from the client system to the server" (col. 2, line 50-55 discloses a tool that transmits files).

**4. Claims 4 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevoid et al. in view of Lombardo et al. in view of Business Wire Mahoney et al. (5,819,271).**

As per claim 4, the Tondevoid et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose "step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools to record purchases and sales of assets associated with the partnership".

Mahoney et al. discloses a corporate information communication and delivery system and method "recording purchases and sales of assets associated with the partnership" (col. 8, line 19-21 discloses creating annual reports, where annual reports

Art Unit: 3629

would include records of purchases and sales of assets associated with the partnership).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al. Lombardo, and Business Wire combination to include the creation of annual reports as taught by Mahoney et al. since such is information that is commonly distributed among business partners.

Claim 26 recites equivalent limitations to claim 4 and is, therefore, rejected using the same art and rationale as set forth above.

**5. Claims 5, 27, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevold et al. in view of Lombardo et al. in view of Business Wire and further in view of Vance et al..**

As per claim 5, the Tondevold et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose “step of tracking the proposed expenditure request further comprises the step of displaying at least one of engineering data and economics data to be reviewed by an authorized user as part of the approval process”.

Vance et al. discloses a system for corporate travel planning and management having an expenditure approval process displaying economics data (col. 7, line 67-col. 8, line 3).



Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include the displaying of economics data as taught by Vance et al. in order to verify that the company can afford the proposed expenditure.

Claims 27 and 55 recite equivalent limitations to claim 5 and are, therefore, rejected using the same art and rationale as set forth above.

**6. Claims 7-9, 29-31, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevold et al. in view of Lombardo et al. in view of Business Wire and further in view of Takriti et al. (5,974,403).**

As per claim 7, the Tondevold et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose “step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools including at least one of a forecast builder tool, and hedge production forecast tool”.

Takriti et al. discloses a power trading a forecasting tool that builds a forecast (abstract discloses a tool that forecasts the spot price of electric power).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include the forecasting tool as taught by Takriti et al. in

order to perform forecasting for the partnership and to provide another useful tool for the partnership to use.

Claim 29 and 57 recite equivalent limitations to claim 7 and are, therefore, rejected using the same art and rationale as set forth above.

As per claim 8, Tondevold discloses a database storing business data (Fig. 1 discloses a database that stores information relating to the business partnership).

The Tondevold et al., Lombardo, Business Wire and Takriti et al. combination discloses all of the elements of the claimed invention but fails to explicitly disclose "step of accessing the plurality of analytical tools further comprises the steps of: selecting a partnership from a plurality of partnerships stored within the database; using the forecast builder tool to display current forecasts for a selected partnership; and enabling a user to create new customized forecasts for the partnership.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, Business Wire and Takriti et al. combination to include displaying current forecasts because it is old and well known to display information and to create customized forecasts for the partnership because it is old and well known to tailor forecasts to a particular environment. For example, if a company was to forecast net income they would have to include information that is particular to their company in order to compute the forecast.

Claim 30 recites equivalent limitations to claim 8 and is, therefore, rejected using the same art and rationale as set forth above.

As per claim 9, the Tondevold et al., Lombardo, Business Wire, and Takriti et al. combination discloses all of the elements of the claimed invention but fails to explicitly disclose “step of accessing the plurality of analytical tools further comprises the step of using the hedge production forecast tool to create customized forecasts for hedging analysis purposes”.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, Business Wire, and Takriti et al. combination to create customized forecasts for hedging analysis purposes because it is old and well known to tailor forecasts to a particular environment and for a particular purpose. For example, if a company was to forecast net income, the net income being a particular purpose, they would have to include information that is particular to the environment.

Claim 31 recites equivalent limitations to claim 9 and is, therefore, rejected using the same art and rationale as set forth above.

**7. Claims 10, 12-16, 32, 34-38, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevold et al. in view of Lombardo in view of Business Wire and further in view of Gastineau et al. (7,099,838).**

As per claim 10, the Tondevold et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose “step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools including at least one of a bank management tool, a display

Art Unit: 3629

hedge contracts tool, a FASB (Financial Accounting Standards Board) 133 evaluation model, a glance hedge portfolio tool, a hedge analysis tool, a hedge contract settle tool, a hedge contracts tool, a hedge portfolio setup tool, a hedge production forecast tool, a hedging futures price tool, and a hub management tool”.

Gastineau et al. discloses a hedging exchange traded mutual funds or other portfolio basket products having "hedge portfolio setup tool" (col. 2, line 32 discloses producing a hedging portfolio).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include the producing of a hedging portfolio as taught by Gastineau et al. in order to provide another useful tool to the partnership for purposes of hedging funds for the partnership.

Claims 32 and 58 recite equivalent limitations to claim 10 and are, therefore, rejected using the same art and rationale as set forth above.

As per claim 12, the Tondevold et al., Lombardo, and Business Wire combination and Gastineau et al. combination discloses all of the elements of the claimed invention but fails to explicitly disclose “the step of accessing the plurality of analytical tools further comprises the step of accessing a FASM model 133 evaluation model to ensure that derivative instruments are properly recorded in a balance sheet of the partnership”.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and

Art Unit: 3629

storing forms electronically of the Tondevold et al., Lombardo, Business Wire, and Gastineau et al. combination to include a hedge partnership tool because it is old and well known to provide a plurality of hedging tools for use by a partnership that is already using hedging tools.

Claim 34 recites equivalent limitations to claim 12 and is, therefore, rejected using the same art and rationale as set forth above.

As per claim 13, the Tondevold et al., Lombardo, Business Wire, and Gastineau et al combination discloses all of the elements of the claimed invention but fails to explicitly disclose "step of accessing the plurality of analytical tools further comprises the step of accessing a glance hedge partnership tool to provide an authorized user with information relating to the partnership's hedge position in a specific location including at least one of hedge breakage gains and losses".

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, Business Wire, and Gastineau et al. combination to include a hedge partnership tool because it is old and well known to provide a plurality of hedging tools for use by a partnership that is already using hedging tools.

Claim 35 recites equivalent limitations to claim 13 and is, therefore, rejected using the same art and rationale as set forth above.

As per claim 14, the Tondevold et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose "step

Art Unit: 3629

of accessing the plurality of analytical tools further comprises the step of accessing a glance hedge portfolio tool to summarize data from a plurality of partnerships”.

Gastineau et al. discloses a hedging exchange traded mutual funds or other portfolio basket products having “a glance hedge portfolio tool to summarize data from a plurality of partnerships” (col. 5, line 13-16 discloses a portfolio that summarizes all of the trading that occurred in a day).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include the producing of a hedging portfolio as taught by Gastineau et al. in order to provide another useful tool to the partnership for purposes of hedging funds for the partnership.

Claim 36 recites equivalent limitations to claim 14 and is, therefore, rejected using the same art and rationale as set forth above.

As per claim 15, the Tondevold et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose “step of accessing the plurality of analytical tools further comprises the step of accessing a hedge analysis tool to enable an authorized user to analyze hedge data”.

Gastineau et al. discloses a hedging exchange traded mutual funds or other portfolio basket products having an analysis of hedge data (col. 5, line 11-28 discloses a net asset value calculation, where a calculation of data is an analysis).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include hedging analysis as taught by Gastineau et al. in order to include another useful hedging tool for the partnership.

Claim 37 recites equivalent limitations to claim 15 and is, therefore, rejected using the same art and rationale as set forth above.

As per claim 16, the Tondevold et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose "step of accessing the plurality of analytical tools further comprises the step of accessing a hedging futures price tool that stores daily quotes for oil and gas futures contracts".

Gastineau et al. discloses a hedging exchange traded mutual funds or other portfolio basket products having daily oil and gas contract quotes (col. 5, line 4-10 discloses a quote feed that sends real time daily quotes to the system).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include daily quotes for oil and gas contracts as taught by Gastineau et al. in order to include another useful hedging tool for the partnership.

Claim 38 recites equivalent limitations to claim 16 and is, therefore, rejected using the same art and rationale as set forth above.

Art Unit: 3629

**8. Claims 11 and 33 rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevold et al. in view of Lombardo et al. in view of Business Wire Gastineau et al. and further in view of Streetman et al. (6,658,460).**

As per claim 11, Tondevold et al. further discloses "the step of accessing a display hedge contracts tool to enable a user to view and modify data relating to contracts entered into" (col. 4, line 35-39 discloses displaying a purchase order or work order form, where purchase orders and work orders is a form of a contract).

The Tondevold et al., Lombardo, Business Wire, and Gastineau combination, however, fails to explicitly disclose where the contract is between a bank and the partnership.

Streetman et al. discloses a system for evaluating a particular natural resource property displaying information pertaining to banks and contracts (col. 5, line 63 and col. 6, line 56-63).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, Business Wire, and Gastineau et al. combination to include displaying bank and contract information as taught by Streetman et al. in order to have pertinent information about contracts readily accessible.

Claim 33 recites equivalent limitations to claim 11 and is, therefore, rejected using the same art and rationale as set forth above.



**9. Claims 18, 21, 40, 43, 47, 49-51, and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevold et al. in view of Lombardo et al. in view of Business Wire and further in view of Streetman et al.**

As per claim 18, the Tondevold et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose “step of accessing a plurality of analytical tools comprises accessing at least one of a partner list, a field list, and at least one of a well and lease list”.

Streetman et al. discloses a system for evaluating a particular natural resource property having a partner list and a well list (col. 5, line 15 discloses agreements including joint ventures, and col. 6, line 17 discloses well logs).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include the partner list and well list as taught by Streetman et al. in order to have such information readily accessible to the partnership.

Claims 40 and 59 recite equivalent limitations to claim 18 and are, therefore, rejected using the same art and rationale as set forth above.

As per claim 21, the Tondevold et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose “step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools to generate a plurality of reports including at least one of an actual production export report, an engineering report, an enhancements report, a

Art Unit: 3629

glance accounting report, a glance hedge partnership report, a glance hedge portfolio report, a glance production report, a hedge portfolio set-up report, a rate time report, a variance report-monthly report, and a variance report-quarterly report”.

Streetman et al. discloses a system for evaluating a particular natural resource property having accounting reports (col. 4, line 50-63).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include accounting reports as taught by Streetman et al. in order to have such reports readily available for the partnership to view and modify.

Claim 43 recites equivalent limitations to claim 21 and is, therefore, rejected using the same art and rationale as set forth above.

As per claim 47, Tondevold et al. discloses “A method for exchanging information within a partnership using a system including a server coupled to a centralized database of business data relating to the partnership and at least one client system, the server including a plurality of analytical tools, said method comprising”:

“providing forms stored within the server as web pages for the insertion of updated partnership business data and causing the forms to be displayed on a client system” (col. 2, line 21-22 discloses creating and processing forms, where the forms are to be used for partnership data, and where a partnership includes a partnership within the organization);

“uploading forms that include updated partnership business data intended for use by other authorized users to the server, wherein the updated partnership business data is stored within the database” (col. 2, line 21-22 discloses storing forms, where storing the forms includes uploading the forms into a database as disclosed in Figure 1);

“downloading the information to authorized users requesting the updated partnership business data” (col. 2, line 63-66 discloses transmitting forms to a recipient, where the recipient must download the forms);

“accessing the plurality of analytical tools including an authorization for expenditure tool, the authorization for expenditure tool enables an authorized user to submit a request for a proposed expenditure within the partnership” (col. 4, line 35-39 discloses purchase order forms, where purchase order forms are used as expenditure requests);

“and tracking the proposed expenditure request using the authorization for expenditure tool through an approval process within the partnership” (col. 8, line 12-58 discloses tracking the forms).

Tondevoid et al., however, fails to explicitly disclose that the system is “web-based” and “formatting the partnership business data uploaded using web pages stored within the server”.

Lombardo et al. discloses a method and system for automating the communication of business information having a web-based system for exchanging information (col. 4, line 9-20 discloses automating business information using a web based system) and formatting the business data uploaded using web pages stored

Art Unit: 3629

within the server (col. 5, line 64-col. 6, line 40 discloses integrating captured information into a standardized format).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of Tondevold et al. to be a web-based system as taught by Lombardo in order to have information easily accessible to all parties that are involved and to format the business data uploaded as taught by Lombardo in order to provide a structure to tie together business information.

The Tondevold et al. and Lombardo combination discloses all of the elements of the claimed invention but fails to explicitly disclose “a glance hedge partnership tool that enables a user to determine a hedge position for the partnership from the partnership business data stored within the database”.

Business Wire discloses financial partnership software having a glance hedge partnership tool that enables a user to determine a hedge position for the partnership from the partnership business data stored within the database (§ 3 discloses software used by active hedge fund managers to track and calculate their positions in numerous instrument types and provides registered investment advisors with a complete set of tools for enterprise-wide portfolio management, accounting, research, and operational support).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms of the Tondevold and Lombardo combination to include

Art Unit: 3629

the glance hedge partnership tool as taught by Business Wire in order to facilitate asset management.

The Tondevold et al., Lombardo, and Business Wire combination fails to disclose that the partnership is involved in oil and gas exploration.

Streetman et al. discloses oil and gas property exploration companies (col. 6, line 59).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include the oil and gas property exploration companies as taught by Streetman et al. because oil and gas exploration companies also manage and facilitate the access and retrieval of oil and gas property information.

Furthermore, Examiner considers the fact that the partnership is involved in oil and gas exploration, to be nonfunctional descriptive material as recited. The specific industry that the partnership is involved in does not change the function of the claimed invention. Examiner asserts that the system and method for creating forms of Tondevold is fully capable of exchanging information within any type of partnership.

As per claim 49, Tondevold et al. further discloses "step of accessing the plurality of analytical tools further comprises the step of accessing the authorization for expenditure (AFE) tool to facilitate at least one of a creation of a request packet by a general partner including a presentation of information to assist a limited partner in making a decision with respect to the proposed expenditure request, an inclusion of text

Art Unit: 3629

and graphic image files relevant to the proposed expenditure request, a general partner approval process, a submission of the proposed expenditure request to a limited partner, a limited partner review of technical and economic data, an engineering consultant review of technical and economic data, a generation of appropriate internal approval forms, a limited partner approval process, and tracking of technical and economic performance metrics” (col. 4, line 35-39 discloses purchase order forms, where purchase order forms are used as expenditure requests).

As per claim 50, Tondevoid et al. further discloses “step of tracking the proposed expenditure request further comprises the step of using a status map to display on a graphical user interface the proposed expenditure request's current step in an approval process including timestamps indicating an amount of time spent at each step, creating an owner of the request and teams, and an ability to track performance of the request” (col. 9, line 2-17 discloses tracking the position of the form and the time spent at each step, Fig. 1, discloses a display that is graphical).

As per claim 51, Tondevoid et al. further discloses “step of accessing the plurality of analytical tools further comprises the step of accessing the plurality of analytical tools including a file transfer tool to perform at least one of download user files from the server to the client system, and upload partnership reports from the client system to the server” (col. 2, line 50-55 discloses a tool that transmits files).

**10. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevoid et al. in view of Lombardo et al. in view of Business Wire and further in view of Vance et al..**

As per claim 53, Tondevold et al. discloses “at least one code segment that: enables a general partner to create a request packet to assist a limited partner in making a decision with respect to the proposed expenditure request” (col. 2, line 21-38 discloses entering data into a form to be transmitted and viewed by a partner and col. 4, line 35-39 discloses where this data may be data requesting approval for a purchase order);

“provides a general partner approval process” (col. 5, line 7-8 discloses manager approval);

“submits the proposed expenditure request to a limited partner”(col. 5, line 49-53 discloses routing the form to managers for approval);

“provides a limited partner approval process” (col. 5, line 7-8 discloses manager approval);

Tondevold et al., however, fails to explicitly disclose “enables a user to include text and graphic image files relevant to the proposed expenditure request”.

Lombardo et al. discloses a method and system for automatic the communication of business information having graphic images relevant to certain documents (col. 7, line 27-28 discloses graphics or scanned images).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of Tondevold et al. to include the graphics and scanned images with documents as taught by Lombardo et al. since such further would illustrate the purpose of the document/form.

The Tondevold et al. and Lombardo et al. combination fails to disclose “enables a user to track technical and economic performance metrics”.

Vance et al. discloses a method and system for corporate travel planning and management tracking technical and economic performance metrics (col. 4, line 48-54 discloses a travel expense reporting module that tracks the technical economic metrics pertaining to the travel requests).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al. and Lombardo et al. combination to include the tracking of technical and economic performance metrics as taught by Vance et al. since such would ensure that the system is maintaining up to date records of technical and economic performance.

**11. Claims 19, 20, 41, 42, 60, and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevold et al. in view of Lombardo et al. in view of Business Wire and further in view of Eder (5,615,109).**

As per claim 19, Tondevold et al. discloses all of the elements of the claimed invention but fails to explicitly disclose “accessing a net income forecasting model to forecast net income for a specific partnership”.

Eder discloses a method of and system for generating feasible profit maximizing requisition sets having a forecasting model (col. 17, line 1-2 discloses a tool for generating income forecasts).



Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include the forecasting model as taught by Eder in order to predict a net income for years to come.

Claims 41 and 60 recite equivalent limitations to claim 19 and are, therefore, rejected using the same art and rationale as set forth above.

As per claim 20, the Tondevold et al., Lombardo, and Business Wire combination discloses all of the elements of the claimed invention but fails to explicitly disclose “step of accessing the plurality of analytical tools comprises accessing at least one of a basis differential tool, a discount rates tool, an escalation factors tool, a hedging futures price tool, and a historical average price tool,

Eder discloses a method of and system for generating feasible profit maximizing requisition sets having a historical average price tool (col. 45, line discloses a tool for determining a historical trend in average period price for the item being forecast).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire combination to include the historical average price tool as taught by Eder since such would aid in computing forecasts.

Claims 42 and 61 recited equivalent limitations to claim 20 and are, therefore, rejected using the same art and rationale as set forth above.

Art Unit: 3629

**12. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevold et al. in view of Lombardo et al. in view of Business Wire in view of Gastineau et al. and further in view of Packwood (7,006,992).**

As per claim 45 Tondevold et al. discloses “at least one of the forms includes an authorization for expenditure form and wherein said server is further configured to:

enable an authorized user to access an information page via the at least one client system” (Fig. 2, and col. 5, line 64- col. 6, line 24 discloses client systems that are able to access information);

“and prompt an authorized user through the at least one authorization for expenditure web page displayed on the client system to approve or disapprove a proposed expenditure within the partnership based on the information” (col. 5, line 6-9 discloses prompting an approval from a manager who is an authorized user).

Tondevold et al., however, fails to explicitly disclose where the information is risk factors in oil and gas exploration.

Gastineau et al. discloses a hedging exchange traded mutual funds basket products having oil and risk factor analysis (col. 2, line 34-44 discloses hedging investment risk factors).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing and storing forms electronically of the Tondevold et al., Lombardo, and Business Wire to include the risk factor analysis as taught by Gastineau et al. since

Art Unit: 3629

such would facilitate the analysis of expenditures within the oil and gas exploration industry.

The Tondevold et al., Lombardo, Business Wire, and Gastineau et al. combination fails to explicitly disclose "display on the information page a risk factor table associated with the partnership's oil and gas exploration".

Packwood discloses a risk assessment and management system having a risk factor table (Fig. 3).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, Business Wire, and Gastineau et al. combination to include the risk factor table as taught by Packwood in order to display the risk factor analysis so that partners may easily view and understand the analysis.

**13. Claims 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondevold et al. in view of Lombardo et al. in view of Business Wire in view of Gastineau et al. in view of Packwood and further in view of Williams (1996).**

As per claim 46, the Tondevold et al., Lombardo, Business Wire, Gastineau et al., and Packwood combination discloses all of the elements of the claimed invention but fails to explicitly disclose "the risk factor table charts wells that are proved, developed and producing (PDP); proved, developed, and non-producing (PDNP); and proved and undeveloped (PUD) against at least one of reserves, lease operating expenses and capital expenditures (CAPEX).

Williams discloses assessing in various categories of oil and gas reserves where these categories include PDP, PDNP and PUD (§ 2) and where reserve estimations are apart of the risk analysis (§ 2).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for creating, processing, and storing forms electronically of the Tondevold et al., Lombardo, Business Wire, Gastineau et al. and Packwood combination to include the well categories of PDP, PDNP, and PUD and reserve estimations as taught by Williams since these categories of wells are familiar to everyone in the industry.

Claim 48 recites equivalent limitations to claim 46 and is, therefore, rejected using the same art and rationale as set forth above.

### ***Response to Arguments***

14. Applicant's arguments, see pg. 17, filed September 15, 2008, with respect to the rejection(s) of claim(s) 1, 23, 47, and 52 under 35 U.S.C. 103 (a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lombardo et al. and Business Wire. See new grounds of rejections above.

In response to arguments for claim 1 with respect to the "downloading data", Examiner respectfully disagrees. Examiner asserts that the term downloading means "to transfer a file or program from a central computer to a smaller computer or to a computer at a remote location" (accessed via [wordnet.princeton.edu/perl/webwn](http://wordnet.princeton.edu/perl/webwn)). Therefore, the broadest reasonable interpretation of the term encompasses

Art Unit: 3629

electronically transmitting the form to a recipient as taught by Tondevold. Furthermore, the idea of downloading information is an old and well known concept used in order to quickly access electronic information.

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Herbst et al. (6,938,009) discloses methods for synthetic investment and risk management. Grasso et al. (5,892,909) discloses methods for co-active delivery of information to multiple users. Shuyler et al. (6,832,202) discloses a method and system of routing requests for authorized approval. Waclovski (2002/0013008) discloses system and method for extracting and forecasting computing resource data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CANDICE D. CARTER whose telephone number is (571) 270-5105. The examiner can normally be reached on Monday thru Thursday 7:30am- 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3629

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